



JANUARY 9 – 13, 2012 ST. LOUIS, MISSOURI

William Jay Riley, Chief Judge - Omaha, Nebraska

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
James B. Loken - Minneapolis, MN
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO
Bobby E. Shepherd - El Dorado, AR**

Circuit Judges Who Have Taken Senior Status

**Myron H. Bright - Fargo, ND
Pasco M. Bowman - Kansas City, MO
C. Arlen Beam - Lincoln, NE
Morris S. Arnold - Little Rock, AR**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27, and Division III will be held in the Northeast Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.

The cases listed for argument on Thursday, in Division I, will be heard at St. Louis University School of Law, 3700 Lindell Blvd., St. Louis, Missouri. Counsel presenting oral argument should report to the William H. Kniep Courtroom located at Morrissey Hall, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Counsel are required to file an "Argument Response/Appearance" form with the Clerk's Office identifying the party or parties they will be representing at oral argument. If an "Appearance" form has not already been filed, the "Argument Response/Appearance" form serves as your notice of appearance in the case. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. *Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.*

Michael E. Gans
Clerk of Court

The following visiting judge is sitting with the Court in January:

The Honorable E. Richard Webber
Senior U.S. District Judge
St. Louis, Missouri

Revised: 1/10/12

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**DIVISION I
En Banc Courtroom
28th Floor**

****EN BANC SESSION****

MONDAY, JANUARY 9, 2012, BEGINNING AT 9:00 A.M.

**BEFORE JUDGES RILEY, WOLLMAN, LOKEN, MURPHY, BYE,
MELLOY, SMITH, COLLOTON, GRUENDER, BENTON, SHEPHERD**
BDG

10-3197EM	Shirley L. Phelps-Roper, et al. v. City of Manchester, Missouri, et al.	20
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BEGINNING AT 10:00 A.M.

09-3231SD	Planned Parenthood Minnesota, North Dakota, South Dakota, et al. v. Mike Rounds, etc., et al.	
09-3233SD	Planned Parenthood Minnesota, North Dakota, South Dakota, et al. v. Marty J. Jackley, etc., et al.	
09-3362SD	Planned Parenthood Minnesota, North Dakota, South Dakota, et al. v. Mike Rounds, etc., et al.	20

**MONDAY, JANUARY 9, 2012
BEFORE JUDGES MELLOY, ARNOLD, SHEPHERD**

			BWB NO ARG
1.	11-2429WA	United States v. William Marshall	
2.	11-1440	National Labor Relations Board v. American Firestop Solutions, Inc.	NO ARG
3.	11-2127WM	United States v. Jeroba Wright	NO ARG
4.	11-2228SI	United States v. David Gamble	NO ARG
5.	11-1872WM	United States v. Gary Johnson	NO ARG
6.	11-2126WM	United States v. Markquinn Jones, etc.	NO ARG

**DIVISION I
En Banc Courtroom
28th Floor**

**TUESDAY, JANUARY 10, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, SHEPHERD, *WEBBER**

			JPP
1.	10-2989ND	United States v. Ferris Lavelle Lee, etc.	
	10-2990ND	United States v. Maurice M. Forest	
	10-2992ND	United States v. Marcus Jermaine Royston, etc.	20

10:00 A.M. BEFORE JUDGES RILEY, MELLOY, SHEPHERD

	11-1877NE	Matthew Livers v. Tim Dunning, etc.	
	11-1879NE	Matthew Livers v. Earl Schenck, etc., et al.	
	11-1880NE	Matthew Livers v. William Lambert, etc., et al.	REMOVED
2.	11-1882EA	Carl Whitney v. Michael J. Astrue, etc.	15
3.	11-1925EA	United States v. Bobby Hurt, et al.	15
4.	11-2496EA	Michael Brock v. Michael J. Astrue, etc.	10

**WEDNESDAY, JANUARY 11, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, MELLOY, SHEPHERD**

	10-1304EM	Norris Holder v. United States	TAB REMOVED
1.	11-2108NI	Justin Shekleton v. Ryan Eichenberger, etc.	15
2.	11-2416	Saqer Salman, et al. v. Eric H. Holder, Jr., etc.	15
3.	11-1445NE	Platte Valley Bank, etc. v. Tetra Financial Group, etc., et al.	15
4.	11-2253	Antony Omondi v. Eric H. Holder, Jr., etc.	15

DIVISION I

****SPECIAL SESSION****

****ST. LOUIS UNIVERSITY SCHOOL OF LAW****

**THURSDAY, JANUARY 12, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, LOKEN, MELLOY**

			KAS
1.	11-2456WM	Missouri Beverage Company, Inc., et al. v. Shelton Brothers, Inc.	20
2.	11-2037EM	Percy Green, II v. Paul Nocciero, etc., et al.	15
3.	11-1822EA	Amber Shelton, etc. v. Arkansas Department of Human Services, et al.	20

DIVISION I
En Banc Courtroom
28th Floor

FRIDAY, JANUARY 13, 2012, BEGINNING AT 8:30 A.M.
BEFORE JUDGES WOLLMAN, LOKEN, MELLODY

1.	11-1383SI	Gary Close v. United States	YML	15
2.	11-2586WM	United States v. Joseph Brown		10
3.	11-2572NI	United States v. Andre Roberts		10
4.	11-1777WM	United States v. Christopher Clutter		10
	11-2828SI	United States v. Francis Woodard	NO ARG	

DIVISION II
Southeast Courtroom
27th Floor

MONDAY, JANUARY 9, 2012
BEFORE JUDGES WOLLMAN, LOKEN, GRUENDER

1.	11-1694SI	Marcus Davis v. United States	LLB NO ARG
2.	11-1590	Orlando Bobadilla v. Eric H. Holder, Jr., etc.	NO ARG
3.	11-1985WA	EnerVest Operating, LLC, etc., et al. v. Sebastian Mining, LLC, etc.	NO ARG
4.	11-1711EM	United States v. Terrell Williams	NO ARG
5.	11-2059SI	United States v. Sherron Pinkin	NO ARG
6.	11-1948WM	United States v. William Baker	NO ARG

TUESDAY, JANUARY 10, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, LOKEN, GRUENDER

1.	11-1809WA 11-1815WA	Pamela Kuhn v. Wyeth, Inc., etc., et al. Shirley Davidson v. Wyeth, et al.	MER 20
2.	11-2449	Jody May Walters v. Bank of the West	15
3.	11-2160NE	Ron Ryan v. Capital Contractors, Inc.	15
4.	11-1794WA	Iris Clegg, etc. v. U.S. Natural Resources, Inc., etc., et al.	15
5.	11-2320SI	Titan Tire Corporation v. United Steelworkers of America, etc.	15

1:45 P.M. BEFORE JUDGES WOLLMAN, MURPHY, BYE

11-1969EA	Diana Phillips v. Michael J. Astrue, etc.	15
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3:00 P.M. BEFORE JUDGES BYE, SMITH, COLLOTON

11-1850WM	Lewis Brothers Bakeries Incorporated and Chicago Baking Company v. Interstate Brands Corporation	15
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**DIVISION II
Southeast Courtroom
27th Floor**

**WEDNESDAY, JANUARY 11, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES WOLLMAN, LOKEN, GRUENDER**

			LMT
	11-2284SI	Albaugh, Inc. v. Arsonate Herbicide Products Limited	REMOVED
1.	11-1744EA	Wilbert Johnson v. Ray Hobbs, etc.	15
	11-2551NE	David Miller v. State of Nebraska Department of Economic Development, etc., et al.	NO ARG
2.	11-1504EA	United States v. Sangeeta Mann, etc.	15
	11-1917NE	Nicholas Sampson v. Sergeant Sandy Weyers, etc., et al.	
	11-1918NE	Nicholas Sampson v. Investigator William Lambert, etc., et al.	REMOVED

**THURSDAY, JANUARY 12, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, SMITH, COLLOTON**

			MDS
1.	11-1135WM 11-1172WM 11-1373WM	United States v. Mateo Ruiz-Zarate United States v. Elias Guerrero-Ramirez United States v. Ramon Benavente-Zubia, etc.	20
2.	11-2054EA	Neal Roberts, etc., et al. v. United States	15
3.	10-3227EA	Larry Neely v. Dustin McDaniel, etc.	20
4.	11-2202NI	Terri Kallail v. Alliant Energy Corporate Services, Inc.	10
5.	10-3858EA	Lee Davis, M.D. v. Jefferson Hospital Association, etc., et al.	15

**FRIDAY, JANUARY 13, 2012, BEGINNING AT 8:30 A.M.
BEFORE JUDGES BYE, SMITH, COLLOTON**

			CMD NO ARG
	11-2437NE	United States v. Larry Vega	
	11-2506EA	United States v. Tony Robinson	NO ARG
1.	11-2960NE	United States v. Glenn Woodard	10
2.	11-2671NE	United State v. Carlos Ponce	10
3.	11-1547SI	Charles Watson, Jr. v. United States	10

**DIVISION III
Northeast Courtroom
27th Floor**

**MONDAY, JANUARY 9, 2012
BEFORE JUDGES MURPHY, BYE, COLLOTON**

1.	11-2394WA	United States v. Sherry Seals	LAB NO ARG
2.	11-2004NI	United States v. Jorge Luis Galeas-Pineda, etc.	NO ARG
3.	11-2372WM	United States v. Deangelo Grant	NO ARG
4.	11-1775WA	United States v. Willie Manning	NO ARG
5.	11-1726SI	Gary Schubert v. Pfizer, Inc., et al.	NO ARG
6.	11-1616EA	United States v. Mark Gilbert	NO ARG

**TUESDAY, JANUARY 10, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES MURPHY, BYE, COLLOTON**

1.	11-1092EM	Kimber Edwards v. Donald Roper	JMH	30
2.	11-2083SI	Art Etc. LLC v. Angel Gifts, Inc., et al.		15
3.	11-2427WM	Secura Insurance, etc., et al. v. Weitz Company, LLC, etc.		20
4.	11-1467EA	Lena Gibson, et al. v. American Greetings Corporation		15
5.	11-1884EM	United States v. Reginald Jean-Guerrier		10

**DIVISION III
Northeast Courtroom
27th Floor**

**WEDNESDAY, JANUARY 11, 2012, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, SMITH, COLLOTON**

			DMS
1.	11-1277SI	Genesis Insurance Company v. City of Council Bluffs, et al.	
	11-1741SI	Genesis Insurance Company v. City of Council Bluffs, etc., et al.	20
2.	11-2203NE	Continental Holdings, Inc., etc. v. Crown Holdings Incorporated, et al.	15
3.	11-2570WM	Mischelle Richter v. Advance Auto Parts, Inc.	15
4.	10-3607WM	United States v. Phillip Brumfield	10

THERE WILL BE NO CASES ARGUED IN DIVISION III ON THURSDAY.

THERE WILL BE NO CASES ARGUED IN DIVISION III ON FRIDAY.